

# Memorandum 1

**To:** The Expert Panel for the Ashbourne Fast-Track Application

**From:** Counsel for the Matamata-Piako District Council  
Andrew Green, Brookfields

**Date:** 27 November 2025



## **Fast Track Application FTAA-2507-1087: Ashbourne Development, Matamata**

### **Minute 3 of the Expert Panel dated 21 November 2025 - Response to Request for Information on behalf of Matamata-Piako District Council (Zoning and NPS-HPL)**

#### **1.0 Introduction**

This Memorandum has been prepared for the Matamata-Piako District Council in response to the Expert Panel's request as set out in Minute 3 dated 21 November 2025, for information pursuant to section 67 of the Fast-track Approvals Act 20024 (FTAA).

The Memorandum addresses matters pertaining to the site's zoning and the extent of rural zoned land captured by the NPS-HPL.

The numbering below refers to the paragraph numbers in the Expert Panel's Minute 3.

#### **2.0 Zoning and NPS-HPL**

##### **2.1 Information request**

*[6] There is a discrepancy between the Applicant and MPDC as to the extent of rural-zoned land which is captured by the NPS – HPL. In the Applicant's legal memorandum in response to Minute 2, it is asserted that 75% of the application site is not to be treated as highly productive land based on the zoning. In contrast, the legal submissions on behalf of the Applicant at paragraph 4.6 submit that only 33% of the land does not meet the criteria for highly productive land.*

*[7] The Panel requests that the Applicant and the MPDC resolve this discrepancy between their respective counsel and report back to the Panel with a definitive agreed position.*

##### **2.2 Response**

The agreed position of the Applicant and MPDC is recorded in the attached email from Fraser McNutt dated 27 November 2025.

As shown in the attached Table 1 and the maps in Figures 1 and 2, the Ashbourne Site has an area of c125.49 ha, of which:

- c 33% (c 41 ha) is in the Residential and Kaitiaki Zones, and thus not subject to the NPS-HPL; with the remaining:
- c 67% (c 84 ha) located in the Rural Zone (Predominantly LUC Class 2) and thus subject to the NPS-HPL.

#### **3.0 Conclusion**

The definitive position as set out above and attached has been agreed and the discrepancy has been resolved.

**From:** [REDACTED]  
**Subject:** Agreed Position on Minute 3 HPL  
**Attachments:** Table 1 NPS-HPL and NON NPS-HPL Land issued 27 11 25.docx; FIGURE 2\_ NPS-HPL LAND.pdf; FIGURE 1\_ ASHBOURNE ZONING.pdf; Attachment 13\_Appendix 2A - Scheme Plan 251118.pdf; FIGURE 1\_ ASHBOURNE ZONING.pdf

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**From:** Fraser McNutt [REDACTED]  
**Sent:** Thursday, 27 November 2025 3:34 pm  
**To:** Marius Rademeyer [REDACTED]; Nathan Sutherland [REDACTED]  
**Cc:** Phil Lang [REDACTED]; Andrew Green [REDACTED]  
**Subject:** Agreed Position on Minute 3 HPL

To assist the Panel,

Agreed Definitive Position between the Applicant and MPDC on the following issues raised in Minute 3.

The Panel Notes:

*Zoning and NPS - HPL*

***[6] There is a discrepancy between the Applicant and MPDC as to the extent of rural-zoned land which is captured by the NPS – HPL. In the Applicant’s legal memorandum in response to Minute 2, it is asserted that 75% of the application site is not to be treated as highly productive land based on the zoning. In contrast, the legal submissions on behalf of the Applicant at paragraph 4.6 submit that only 33% of the land does not meet the criteria for highly productive land.***

**Applicant response:** The Applicant’s NPS-HPL memorandum dated 18 November 2025 clarified how the NPS-HPL applies across the site. For certainty, the 75% figure referenced in the Legal Memorandum responding to Minute 2 relates solely to the residential component of the Ashbourne development, not the wider proposal. Further clarification is provided below from MPDC and the Applicant and a table of facts that both MPDC and the applicant agree.

***[7] The Panel requests that the Applicant and the MPDC resolve this discrepancy between their respective counsel and report back to the Panel with a definitive agreed position.***

To assist the Panel, MPDC and the Applicant met online at 12pm on 26 November 2025 to clarify and agree the application of the NPS-HPL.

The following commentary is agreed and to be read with the supporting table that compiles the relevant facts and percentages to assist the Panel. *(attached)*.

- It is agreed that the total area of the application, as shown on the Day 0 Scheme Plan, is approximately 125.49 hectares.
- It is agreed that of the land proposed for residential use, 40.04 hectares is zoned Rural-Residential and 0.24 hectares is zoned Residential both of which are exempt from the NPS-HPL. Approximately 3.79 hectares of proposed residential land are zoned Rural and therefore subject to the NPS-HPL.
- It is agreed that Lot 8 (0.38ha) and Lot 9 (0.37ha) i.e. 0.75 hectares in total are zoned Rural, and the NPS-HPL applies.

- It is agreed that the northern solar farm (12.74ha) and southern solar farm (30.35ha) are on Rural-zoned land and therefore subject to the NPS-HPL.
- **Both parties agree that a pathway exists through the NPS-HPL for specified infrastructure under Clause 3.9 of the NPS-HPL subject to the Panel's satisfaction on the clause 3.9 criteria being met.**
- It is agreed that the retirement village (20.13ha) is on Rural-zoned land and subject to the NPS-HPL.
- It is agreed that the proposed greenway (approx. 2.05 ha) is on Rural-zoned land and subject to the NPS-HPL.
- It is agreed that Easement E – WW disposal area (4.54 ha) is on Rural-zoned land and subject to the NPS-HPL.
- **Both parties agree that an exemption pathway exists under Clause 3.10 for highly productive land subject to permanent or long-term constraints being demonstrated to the Panel's satisfaction (above three bullet points.)**
- The balance lot, Lot 2 of 13.91 ha (9.37 ha excluding the wastewater disposal field easement) on the Day 0 Scheme Plan is zoned Rural and subject to the NPS-HPL. Both parties agree that the applicant has now confirmed that the balance lot is not being applied for to be developed. In this instance, the balance lot will not be getting rezoned, subdivided or used for rural lifestyle. Further, it will continue to be used for rural purposes.

Ngā mihi | Kind regards,

FRASER MCNUTT

Partner/Waikato Manager (MNZPI)



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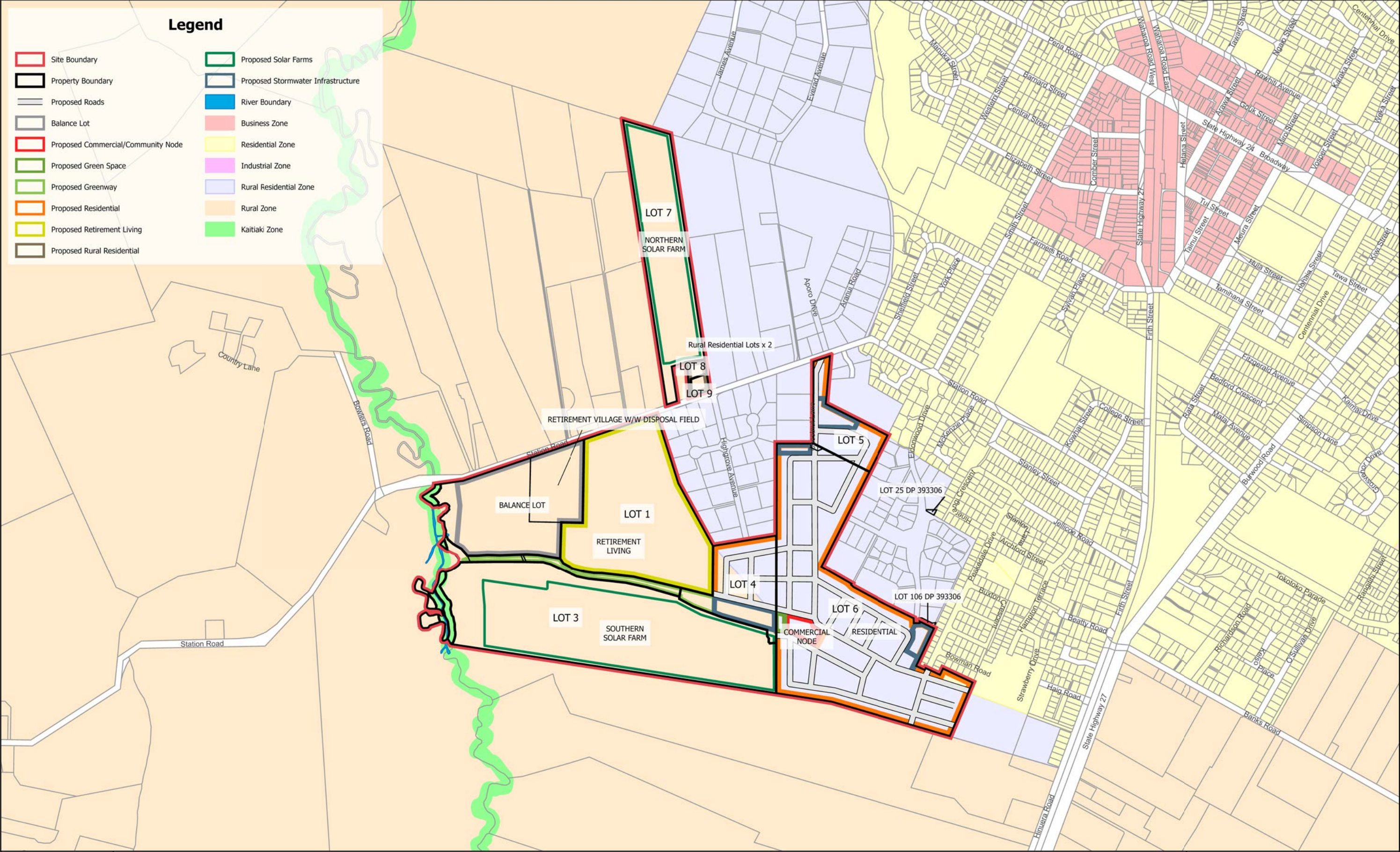


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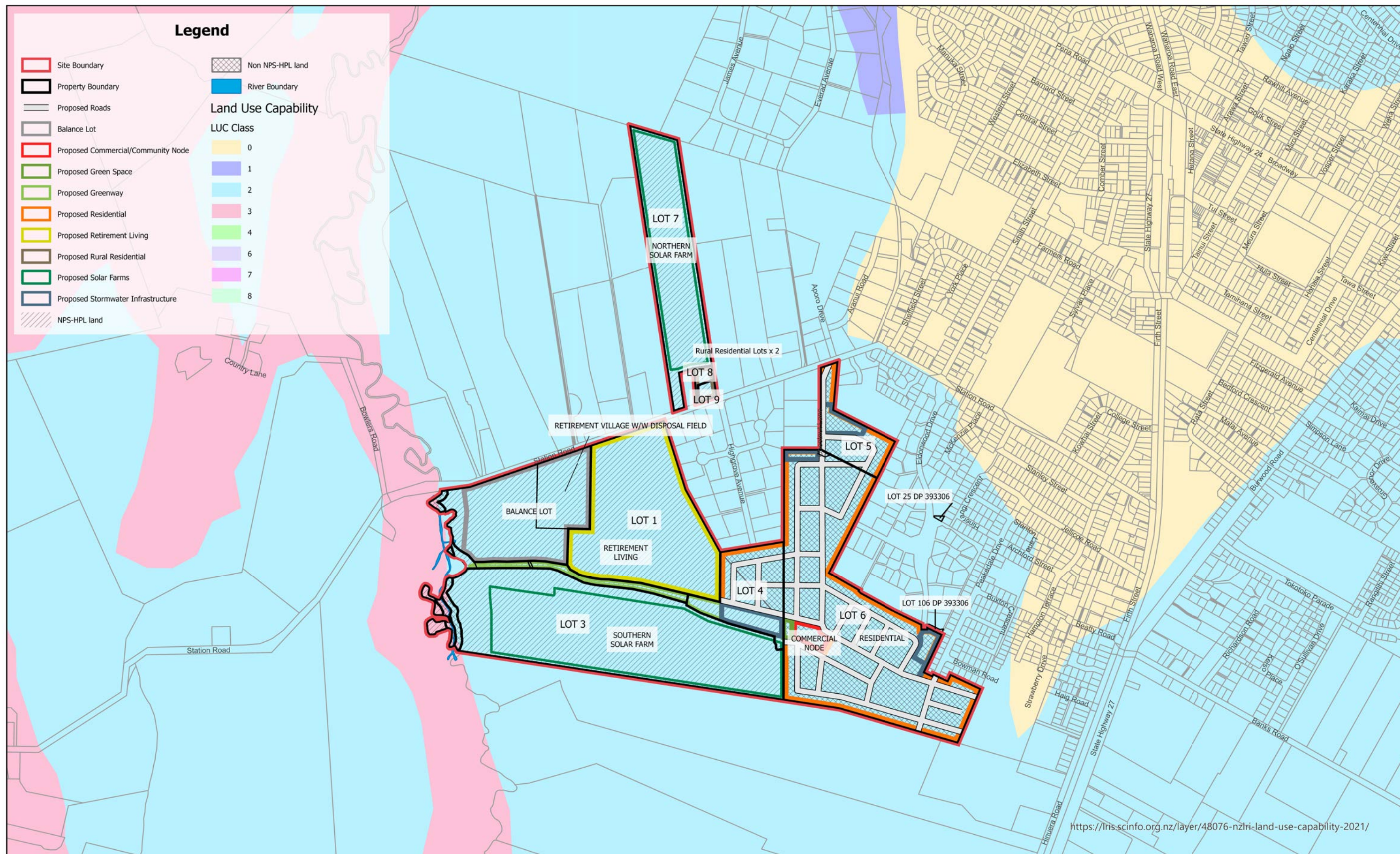
TABLE 1: ASHBOURNE – NPS-HPL LAND AND NON NPS-HPL LAND										
PROPOSED LANDUSE	UNDERLYING ZONE									
	Residential Zone		Rural-Res Zone		Rural Zone		Kaitiaki Zone		Total	
	Area (Ha)	%	Area (Ha)	%	Area (Ha)	%	Area (Ha)	%	Area (Ha)	%
<b>NON NPS-HPL LAND</b>										
Residential/ commercial	0.24	100.00	40.04	100.00	0.00	0.00	0.00	0.00	40.28	32.10
Esplanade (Kaitiaki Zone)	0.00	0.00	0.00	0.00	0.00	0.00	1.05	100.00	1.05	0.83
<b>Sub-Total</b>	<b>0.24</b>	<b>100.00</b>	<b>40.04</b>	<b>100.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.05</b>	<b>100.00</b>	<b>41.33</b>	<b>32.93</b>
<b>NPS-HPL LAND</b>										
Residential/ commercial	0.00	0.00	0.00	0.00	3.79	4.50	0.00	0.00	3.79	3.02
Retirement Village	0.00	0.00	0.00	0.00	20.13	23.92	0.00	0.00	20.13	16.04
Wastewater Disposal Field	0.00	0.00	0.00	0.00	4.54	5.39	0.00	0.00	4.54	3.62
Greenway	0.00	0.00	0.00	0.00	2.05	2.44	0.00	0.00	2.05	1.63
Lifestyle Lots (2)	0.00	0.00	0.00	0.00	0.75	0.89	0.00	0.00	0.75	0.60
Northern Solar Farm	0.00	0.00	0.00	0.00	12.74	15.14	0.00	0.00	12.74	10.15
Southern Solar Farm	0.00	0.00	0.00	0.00	30.35	36.06	0.00	0.00	30.35	24.19
River severance lots	0.00	0.00	0.00	0.00	0.44	0.52	0.00	0.00	0.44	0.35
Balance Lot (excl. w/w field)	0.00	0.00	0.00	0.00	9.37	11.13	0.00	0.00	9.37	7.47
<b>Sub-Total</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>84.16</b>	<b>100.00</b>	<b>0.00</b>	<b>0.00</b>	<b>84.16</b>	<b>67.07</b>
<b>TOTAL</b>	<b>0.24</b>	<b>100.00</b>	<b>40.04</b>	<b>100.00</b>	<b>84.16</b>	<b>100.00</b>	<b>1.05</b>	<b>100.00</b>	<b>125.49</b>	<b>100.00</b>
<b>% OF TOTAL SITE AREA</b>		<b>0.19</b>		<b>31.91</b>		<b>67.07</b>		<b>0.83</b>		<b>100.00</b>





**FIGURE 1: ASHBOURNE ZONING**






## FIGURE 2: NPS-HPL LAND

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November 27, 2025

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